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UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-193582

December 5, 1978

DEPARTMENT OF STATE
REVIEWED BY _____ DATE _____
NDS ☐ or XDS ☐ EXT. DATE _____
JS AUTH. _____ REASON (S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☐
RELEASE DENIED ☐
FA EXEMPTIONS
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ACTION
is assigned to
ARA

The Honorable Cy[illegible]
The Secretary of [illegible]

Dear Mr. Secretary:

FADRC
DOCUMENT ANALYSIS

We have received a number of inquiries, including several from Members of Congress, concerning the legal authority for spending Government funds to pay for the removal from Guyana, and the burial in the United States of the remains of the members of the Peoples Temple who died recently in Jonestown. The inquiries also question the legal basis for the evacuation to South Carolina of the surviving members by the Government.

Before responding to these inquiries, we would appreciate a complete report from your office concerning this matter. Please include a description of the nature and total cost to date of the State Department's participation in the operation, and your views concerning the legal authority for the Department's services for these purposes. Please specify whether any of the survivors of the deceased members requested the Department to take charge of the remains and whether there is any agreement or understanding that the Department will be reimbursed by the survivors. Please also address the question of the Department's right to reimbursement, in the absence of such a request from the survivors.

We would also like your opinion as to whether the decedents' estates are legally responsible for reimbursing the United States. Is money or property in the Government's possession as a result of the airlift from Guyana available to defray the costs involved?

Finally, we ask that you include in your report a statement of any further State Department expenditures you anticipate, (e.g., for costs of autopsies performed on remains in Dover, Delaware) and your opinion as to the legal basis for incurring such costs, together with any other relevant comments you might care to make.

In light of the congressional interest in this matter, a prompt reply would be appreciated. If you or your staff have any questions, the attorney assigned to this matter is Jonathan H. Barker, 275-5544.

Sincerely yours,

Rollee Efros

(Mrs.) Rollee H. Efros
Assistant General Counsel